

- b. ENSEAL X1 does not infringe claims 1, 4, 7, 8, 16, or 19 of U.S. Patent No. 8,323,310 ("the '310 patent").
 - c. ENSEAL X1 does not infringe claims 1-4, 7, 9-10, 12, and 14 of U.S. Patent No. 8,241,284.
2. Judgment on Ethicon's claims against Covidien for a declaratory judgment of invalidity is entered against Ethicon and in favor of Covidien as follows:
 - a. Claims 1, 4, 6, 7, 10, and 11 of the '759 patent are not invalid under 35 U.S.C. §§ 102/103 based on the cited prior art.
 - b. Claims 1, 4, 7, 8, 16, and 19 of the '310 patent are not invalid under 35 U.S.C. § 112 and/or under 35 U.S.C. §§ 102/103 based on the cited prior art.
3. All other claims, counterclaims, defenses and affirmative defenses are hereby dismissed without prejudice.
4. Ethicon is awarded its costs in this action to the extent permitted by law and in an amount to be determined upon Ethicon's application for costs; and
5. Each party shall bear its own attorneys' fees.

Dated: June 19, 2020

/s/ Leo T. Sorokin
Leo T. Sorokin
United States District Judge

/s/ Mariliz Montes
(By) Deputy Clerk

